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6 Attorney for Stevie Nelon

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 STEVIE NELON,

13 Defendant.

Case No. 2:21-cr-00158-RFB-DJA

**STIPULATION TO CONTINUE
BRIEFING SCHEDULE**
(Third Request)

14 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.
15 Frierson, United States Attorney, and Allison Reese, Assistant United States
16 Attorney, counsel for the United States of America, and Rene L. Valladares, Federal
17 Public Defender, and Navid Afshar, Assistant Federal Public Defender, counsel for
18 Stevie Nelon, that the simultaneous briefing related to the evidentiary hearing of
19 January 31, 2023, currently due on May 1, 2023, be vacated and continued to a date
20 and time convenient to the Court, but no sooner than forty-five (45) days.
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1 This Stipulation is entered into for the following reasons:

2 1. Certain issues have arisen for counsel for the defendant, and they are
3 proceeding with a trial starting May 8, 2023, which is expected to take about five
4 days. Unfortunately, due to unexpected trial related matters, counsel needs
5 additional time to address these issues.

6 2. Counsel for the government also has a trial beginning on May 16,
7 2023, which necessitates the need for a slightly longer stipulation.

8 3. Counsel for the government and defense are asking for 45 days as they
9 intend to make this a final stipulation request. The 45 days would ensure that both
10 parties can proceed with trial and have sufficient time to address the serious issues
11 in the briefing, without needing further requests.

12 4. The parties agree to the continuance.

13 5. Additionally, denial of this request for continuance could result in a
14 miscarriage of justice. The additional time requested by this Stipulation is
15 excludable in computing the time within which the trial herein must commence
16 pursuant to the Speedy Trial Act, Title 18, United States Code, Section
17 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
18 3161(h)(7)(B)(i), (iv).

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6. This is the third request to continue the briefing schedule for the simultaneous briefing ordered by the Court.

DATED: April 28, 2023.

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

/s/ Navid Afshar

/s/ Allison Reese

NAVID AFSHAR
Assistant Federal Public Defender

ALLISON REESE
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 STEVIE NELON,

7 Defendant.

Case No. 2:21-cr-00158-RFB-DJA

**FINDINGS OF FACT,
CONCLUSIONS
OF LAW AND ORDER**

8 **FINDINGS OF FACT**

9 Based on the pending Stipulation of counsel, and good cause appearing
10 therefore, the Court finds that:

11 1. Certain issues have arisen for counsel for the defendant, and they are
12 proceeding with a trial starting May 8, 2023, which is expected to take about five
13 days. Unfortunately, due to unexpected trial related matters, counsel needs
14 additional time to address these issues.

15 2. Counsel for the government also has a trial beginning on May 16,
16 2023, which necessitates the need for a slightly longer stipulation.

17 3. Counsel for the government and defense are asking for 45 days as they
18 intend to make this a final stipulation request. The 45 days would ensure that both
19 parties can proceed with trial and have sufficient time to address the serious issues
20 in the briefing, without needing further requests.

21 4. The defendant is not in custody and agrees with the need for the
22 continuance.

23 5. The parties agree to the continuance.
24

1 6. Additionally, denial of this request for continuance could result in a
2 miscarriage of justice. The additional time requested by this Stipulation is
3 excludable in computing the time within which the trial herein must commence
4 pursuant to the Speedy Trial Act, Title 18, United States Code, Section
5 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
6 3161(h)(7)(B)(i), (iv).

7 IT IS THEREFORE ORDERED that the simultaneous briefing related to the
8 evidentiary hearing of January 31, 2023, currently due on May 1, 2023, be vacated
9 and continued to June 16, 2023.

10 DATED: May 1, 2023.

A handwritten signature in black ink, appearing to be 'RFB', written over a horizontal line.

HONORABLE RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE